

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF: CHO et al
SERIAL NO: 10/526,836
FILED: March 4, 2005
TITLE: BLOCK COPOLYMER MICELLE COMPOSITION HAVING AN
ENHANCED DRUG-LOADING CAPACITY AND SUSTAINED
RELEASE
GROUP: 1618
CONFIRMATION NO: 9374
EXAMINER: ROGERS, James William

RESPONSE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

MAIL STOP: AMENDMENT

SIR:

This is in response to the outstanding office communication dated May 28, 2008.

Applicant respectfully requests that any insufficient fees be deducted from our deposit account 504581.

Applicant acknowledges a telephone interview was held with the Examiner on May 14, 2008 which is summarized in the Interview Summary dated May 28, 2008. The Examiner suggested that applicant combine claims 1 and 8. However, applicant does not believe this is warranted in view of the amendment filed by applicant on April 10, 2008.

In the amendment filed on April 10, 2008, claim 1 was amended to identify that the units of the hydrophobic blocks (B) are in a random sequence. As pointed out in the remarks although the cited Cha reference discloses a hydrophobic (A) copolymer block, it does not teach or suggest a hydrophobic block comprising active hydrogen-containing functional groups and

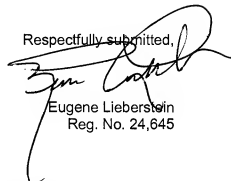
does not teach or suggest units of a hydrophobic block having a random sequence of functional groups contained in the unit.

To the contrary, the functional groups of the hydrophobic block in Cha are poly(α -hydroxy acids) which include malic acid or poly(ethylene carbonates) the sequence of which is homologous and not random.

Accordingly there is no basis for applicant to combine claim 8 with claim 1 based on the current cited prior references, and applicant believes that the case is clearly in condition for allowance based on the current amended claim 1.

Reconsideration and allowance of claims 1-15 is respectfully solicited,

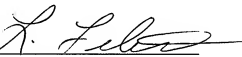
Respectfully submitted,



Eugene Lieberstein
Reg. No. 24,645

MAILING CERTIFICATE

I hereby certify that this correspondence is being sent to the USPTO via EFS Web to the Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, MAIL STOP: AMENDMENT on June 19, 2008.

By 
L. Felicetti